

GOVERNMENT OF MIZORAM

**COLLECTIONS
of
ACTS, REGULATIONS & RULES**

OPERATED BY REVENUE DEPARTMENT
IN CONNECTION WITH REVENUE ADMINISTRATION

COMPILED BY
DIRECTORATE OF LAND REVENUE
AND SETTLEMENT

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The 4th May, 1953

No. TAD/R/61/52- In pursuance of paragraph 1 of the Sixth Schedule to the Constitution of India, the following Act of the Lushai Hills District Council, which received the assent of the Governor of Assam, is hereby published for general information.

LUSHAI HILL ACT NO. 1 OF 1953

**The Lushai Hills District (House sites) Act, 1953
(Passed by the Lushai Hills District Council)**

**(Received the assent of the Governor of Assam on 2nd May, 1953)
(Published in the Assam Gazette, dated 6th May, 1953)**

An

Act

To provide for the allotment of sites for residential
Or other non-agricultural purposes

Preamble – Whereas it is expedient to provide for the allotment, occupation or use, or the setting apart of land, other than any land which is a reserved forest, for residential or any other non-agricultural purposes :

And whereas by clause (a) of sub-paragraph (1) of paragraph 3 of the Sixth Schedule to the Constitution of India, the District Council for an autonomous district is empowered to make law with respect to the allotment, occupation or use or setting apart of land, other than any land which is a reserved forest, for the purpose of agriculture or grazing or for residential inhabitants of any village or town :

Now, therefore the District Council of the Lushai Hills District (hereinafter referred to as the District Council) in exercise of the powers conferred on it as aforesaid and of all other powers enabling it in that behalf, is pleased to enact and it is hereby enacted as follows :-

1. Short title extent & commencement -
 - 1) This Act may be called the Lushai Hills District (House Sites) Act, 1953

- 2) It extends to the whole of Mizoram excepting the areas under the Autonomous District Councils of Pawi, Lakher and Chakma.
 - 3) It shall come into force at once.
2. Definition – In this Act except where it is otherwise expressly provided or the context otherwise requires :-
- 1) “District” means a District in Mizoram declared to be as such by order of the Administrator of Mizoram.
 - 2) The Administrator means the Administrator of Mizoram appointed by the President under Article 239 of the constitutions.
 - 3) “Village Council” means the Village Council constituted under provisions of the Lushai Hills Autonomous District (Administrator of Justice) Rules, 1953.
 - 4) “Reserved Forest” shall have the same meaning assigned to it by sub-paragraph 2 of paragraph 3 of the Sixth Schedule to the Constitution of India.
3. Allotment of site : 1) Subject to the provisions of sub-section (2) of this section, a Village Council shall be competent to allot sites within its jurisdiction for residential and other non-agricultural purpose with the exception of shops and stalls which include hotels and other business houses of the same nature.

Notwithstanding anything contained in this act, the Administrator shall have the power to intervene in all cases of disputes over any sites within the village, and the decision of the Administrator shall be final.

Provided that the Administrator may, at any time by notification, declare that any village or a particular locality is a protected area where allotment of sites shall be done by Village Council only with the previous approval of the Administrator.

- 2) The Administrator or any other person or body authorized in that behalf by the Administrator shall allot sites for residential and other non-agricultural purposes in Aizawl, Lunglei, Demagiri, Sairang, Kolasib, Champhai and Vanlaiphai and also sites for shops and stalls which may include hotels and other business houses of the like nature in places other than the said stations.
- 3) The Village Council, when site is allotted under sub-section (1) and the Administrator or any other person or body, authorized in that behalf by the Administrator when the site is allotted under sub-section (2) shall issue a patta and may incorporate therein in writing such conditions as may be reasonable in the interest of general public or of a Schedule Tribe.
- 4) The authority issuing the patta on being satisfied on proof that any such condition or conditions incorporated in the Patta have been violated may cancel the Patta.

Provided that such authority instead of canceling the Patta may impose a fine, when such authority is a Village Council, not exceeding Rs. 50/- and when the authority is the Administrator or any other person or body authorized in that behalf by the Administrator, not exceeding Rs. 100/-

- 5) No person shall occupy any site without obtaining a Patta from a competent authority as prescribed in sub-section (1) or sub-section (2) as the case may be.
- 6) The Village Council when the site is allotted under sub-section (1) the Administrator or any other person or body authorized in that behalf by the Administrator when it is allotted under sub-section (2) may evict any person having in occupation of unauthorized site after service on such unauthorized occupant of a notice to vacate the site within a period of not less than 7 days.
- 7) On failure of such unauthorized occupant to vacate the site within the time fixed in the notice the Village Council or Administrator or any other person or body authorized by the Administrator in that behalf, any order for demolition of the building or impose a fine not exceeding Rs. 5/- per day for the unauthorized occupation after the service of the notice.

- 8) The order of the Administrator or a Village Council as the case may be, passed under clauses (6) and (7) above shall be deemed to be a decree of a competent civil court for the purposes of evicting an unauthorized occupant from a site to which this Act applies.
4. The Administrator of Mizoram may, from time to time, make rules for carrying out the purpose of this Act.

The 25th January, 1957

No. TAD/R/120/53 – In pursuance of paragraph 11 of the Sixth Schedule to the Constitution of India, the following Act made by the Mizo District Council, and assented to by the Governor of Assam is published for general information :-

ACT NO 1 OF 1957

THE MIZO DISTRICT (LAND AND REVENUE) ACT, 1959

(Passed by the Mizo District Council on 4th October, 1956)

An

Act

to provide for the recognition of rights on land and assessment of revenue on such land by the District Council.

Preamble – Whereas it is expedient to provide for the recognition of rights on land and settlement and the assessment of revenue on such land and for other ancillary matters in the Mizo Autonomous District.

It is hereby enacted by the District Council in the Seventh Year of the Republic of India as follows :-

CHAPTER – I

1. Short title, extend and commencement :-
 - 1) This Act may be called Mizo District (Land and Revenue) Act, 1956.
 - 2) It extends to the whole of the Union Territory of Mizoram excepting the areas under the Autonomous District Councils of Pawi, Lakher and Chakma.
 - 3) It shall come into force at once.

2. Definition – In this Act unless there is anything repugnant or the context otherwise requires :-
 - 1) “District” means a District, in Mizoram declared to be as such by order of the Administrator of Mizoram
 - 2) (Omitted)
 - 3) “Administrator” means the Administrator of the Union Territory of Mizoram appointed by the President under Article 239 of the Constitution.
 - 4) “Land” includes all lands either vacant or occupied. It shall include also benefits to arise out of land and things attached to the earth or permanently fastened to anything attached to the

earth but shall exclude minerals, minerals oil, natural gas and petroleum;

- 5) “Land Revenue” means any revenue assessed on an estate and includes other taxes assessed in lieu of land revenue.
- 6) “Prescribe” means prescribed by rules made under this Regulation.
- 7) “Reserved Forest” means a reserved forest as defined to sub-Paragraph (2) of Paragraph 3 of the Sixth Schedule to the Constitution.
- 8) “Settlement-holder” means any person other than a pass-holder, who has entered into an engagement with the Administrator to pay land revenue and is deemed to have acquired status of settlement-holder under section 7.
- 9) “Deputy Commissioner” means the Deputy Commissioner, of a District in Mizoram appointed by Administrator as such.
- 10) “Financial Year” means the Financial year commencing on the first day of April;
- 11) “Pass-holder” means a person who has the temporary right of use and occupancy over a specified plot of land for a specified period under such terms as the Administrator... may prescribed in the pass he holds.

CHAPTER – II

3. Application: - This Chapter shall apply to all lands within the Station areas of Aizawl, Lunglei, Demagiri, North Vanlaiphai, Champhai, Kolasib and Sairang and any other Station areas as may be notified by the Administrator from time to time, except –
 - a) land included in the State Reserved Forest
 - b) the soil of all Government and Public road

4. No person shall acquired by length of possession or otherwise any right over land disposed of, allotted or occupied before the commencement of this Act unless such land had been recorded and registered either in the Deputy Commissioner's Office or the District Council's Office.

5. Rights of Pass-holder – A pass-holder shall have no right in the soil beyond a right of user for the period foe which it is given and shall have no right of transfer, or of inheritance beyond the period of the pass or of subletting.

6. Power to forfeit unclaimed land :-

“A. pass-holder may at any time during the period of the pass relinquish the whole or part of his estate after paying all the revenue and taxes due from him in respect of the estate proposed to be relinquished, by a written petition to the Administrator within such date as may be prescribed, and on such relinquishment being accepted by the Administrator, the pass-holder shall cease to have all rights and interests whatsoever conferred on him by the pass on the relinquished land.”

7. Settlement-holder's right over land :-

“The settlement-holder shall have heritable and transferable right of use on or sub-letting in his land subject to :-

- a) the payment of all revenue and taxes from time to time legally assessed or imposed in respect of the land :-
- b) such terms and conditions as are expressed in his settlement lease, and the rules made thereunder.”

8. Power of the Administrator over vacant land :- In the case of any land over which no person has right of use or occupancy under this Act or which is not under use or occupancy of the Government, the Administrator may direct that :-

- a) such land may be disposed of by way of grant, lease or otherwise in the manner prescribed;
- b) the person who has entered into unauthorized occupation of such land may be rejected in the manner prescribed;
- c) any crop, building of other construction erected without authority may be disposed of in a manner it deems fit.

9. Right of fishery – The Administrator may, by proclamation in a manner it deems fit, declare any collection of water running or stagnant to be fishery and no right, in any fishery, so declared, shall be deemed to have been acquired by the public or any person. Such a fishery may be leased in accordance with the rules prescribed.

CHAPTER – III

Recording

10. Recording and Demarcation of land- The Administrator or any officers appointed in its behalf survey all lands to be recorded. The demarcated boundary and the assessed revenue to be paid annually shall be recorded in the General vide Appendix 'A'. The Administrator may prescribed subject to a paragraph 8 (1) of the Sixth Schedule to the Constitution of India and to this Regulation principles on which the land revenue is to be assessed, the terms for which and the conditions on which settlement may be made. The settlement-holder shall make proper boundary marks as may be directed by such officers or the Administrator.

Recording shall made ain such manner and after such inquiry as may be prescribed.

11. Certificate of possession and assessment :- A settlement-holder shall, on the completion of survey and demarcation of boundary, obtain a certificate of recording for the details of that land on payment of such amount of recording fee as may be prescribed. Different rates of fees may be prescribed for any local area of class of land.

12. Local ownership over land-- Possession of such certificates showing details of boundary area and assessed revenue to be paid annually shall be deemed to be the conclusive proof that the land has been settled with the holder of the certificate and that all rights and interests arising out of such settlement have vested in such holder of the certificate.

13. If a settlement-holder violates any term of the lease, the lease shall be liable to be cancelled.

14. Transfer of ownership of Land :- No transfer of any right, title or interest in any land shall be recognized by the Administrator or the Village Council

and no person shall be deemed to be exonerated from any liability due to the Administrator or the Village Council by virtue of such transfer, unless such transfer is registered in the office of the Administrator in the manner prescribed.

CHAPTER – IV

15. Rate of revenue for towns in the district – The following rates of land revenue is fixed for the towns of the district as specified below :-

1) Aizawl and Lunglei Town areas – At Rs. 6 to Rs. 18 per bigha per annum provided that an area less than half a bigha shall be assessed to half a bigha and an area exceeding half a bigha but not exceeding one bigha shall be assessed to one bigha, and an area exceeding one bigha but not exceeding one and half bigha shall be assessed to one and half bigha and an area exceeding $\frac{1}{2}$ bigha but not exceeding 2 bighas shall be assessed to two bighas and so on.

2) Other Town areas:- At the rate of Rs. 4 to Rs. 12 per bigha per annum.

3) Extension from payment of house tax :- The Administrator shall, from time to time, classify the land within the town areas into three grades and fix the rates of revenue in accordance with clause 1 and 2 above.

4) Payment of the land revenue as prescribed above shall exempt a person from payment of house tax as prescribed in the Lushai Hills District (Revenue Assessment) Regulation, 1953, if the house is situated within the land for which he pays the land revenue.

CHAPTER – V

16. Liability for land Revenue:- Land Revenue payable in respect of any estate shall be due jointly and severally from all persons who have been in possession of the estate or any part of it during any portion of the financial year in respect of which that revenue is payable.

17. Revenue when due and how to be paid :- Every sum payable under this Act on account of land revenue shall fall due on such date, and shall be payable in such manner, in such installments, at such place and to such person, as may be prescribed.

Provided that the Administrator may sanction remission of revenue to any deserving person or persons due consideration being given to the nature and circumstances of each case.

18. Arrear and defaulters :- Land revenue not paid on the date when it falls due shall be deemed to be an arrear, and every person liable for it shall be deemed to be defaulter.

19. Penalty : When an arrear has accrued and additional charge by way of penalty not exceeding the amount due from the defaulter shall be levied.

Provided that a notice of demand for payment of an arrear shall be issued within the prescribed time and in the prescribed manner.

20. Attachment and sale of movables :- For the recovery of an arrear, the “Secretary of Department or any other officer authorized in writing by the Administrator” may in accordance with the law for the time being in force for the administrator of Justice in the District, order attachment and sale of so much of a defaulter’s moveable property as well, as nearly as may be defray the arrear:

Providing that nothing in this section shall authorize the attachment and sale of necessary wearing apparel implements of husbandry, tools of artisans, materials or house and other buildings belonging to and occupied by the defaulter or such cattle or seeds, and other necessary instruments and materials that may be necessary to enable the defaulter to earn his livelihood as an agriculturist.

21. Attachment of land :- (1) When an arrear has accrued in respect of any land, settle permanently or temporarily with heritable or transferable interests, the secretary to the Department or any other Officer authorized in writing by the Administrator may order attachment of such land.

(2) Any attachment or sale of estate or properties shall be final unless a claim or suit is lodged with a competent court of law constituted under the Lushai Hills Autonomous District (Administration of Justice) Rules.

Explanation :- A Village Council shall not competent to entertain such a claim or suit or adjucate.

CHAPTER VI

22. Appeals :-

1) Appeals in all revenue cases under this Act shall be heard and disposed of by the Administrator of Mizoram.

Providing that nothing done in connection with the recognition of right and interest over land shall preclude any person from bringing a suit in the competent civil court for possession of, or declaration of his right to any immoveable property to which he may deem himself entitled.

2) The appeals to the Administrator shall be preferred in such manner and within such time as may be prescribed.

23. The Administrator of Mizoram may, from time to time, make rules for carrying out the purposes of this Act.

APPENDIX 'A'

Form of General Register Section (10)

Serial No.	Owner's name with father's name	Residence	Description of boundary with location	Areas in Bigha	Rate per Bigha	Amount of Revenue	Remarks

Mizoram Act No. 5 of 1976

(Received the assent of the Administrator on 7th May 1976)

The Mizoram District (Land and Revenue) Amendment Act, 1975

AN

ACT

to amend the Mizo District (Land and Revenue) Act, 1956

Be it enacted by the Legislative Assembly of Mizoram in the Twenty seventh Year of the Republic of India as follows :

Short title and commencement

- 1) This Act may be called the Mizoram District (Land and Revenue) (Amendment) Act, 1976.
- 2) It shall come into force on and from such date of may be notified in this behalf by the Administrator of Mizoram in the official Gazette.

Substitution of new section for section 15

2. For section 15 of the Principal Act, the following section shall be substituted, namely :-

“51 Rate of revenue for towns in the district :-

- 1) Aizawl, Lunglei and other town areas :-

The rates of land revenue per bigha per annum for Aizawl, Lunglei and other town areas shall be fixed by the Administrator of Mizoram, as may be considered

expedient, from time to time, by notification in the official Gazette.

Provided that an area less than half a bigha shall be assessed to half a bigha, and an area exceeding half a bigha but not exceeding one bigha shall be assessed to one bigha, and an area exceeding one bigha but not exceeding one and half bigha shall be assessed to one and half bigha and an area exceeding one and half bigha but not exceeding two bighas shall be assessed to two bighas and so on.

- 2) The Administrator of Mizoram shall, from time to time, classify the lands within the town areas into such grades as may be considered appropriate and fix the rates of revenue for each grade under sub-section (1) of section 15.
- 3) Exemption from payment of house tax :-

Payment of the land revenue under sub-section (1) shall exempt a person from payment of house tax as prescribed in the Lushai Hills District (Revenue Assessment) Regulation, 1953, if the house is situated within the land for which he pays the land revenue”.

A. Sarkar

Secretary

Law & Judicial

No. ED.1/D/A/67/13. In exercise of the powers conferred by section 23 of the Mizo District (Land and Revenue) Act, 1956, (Act No. 1 of 1957), the Executive Committee of the Mizo District Council, with the previous approval of the Governor of Assam, is pleased to make the following Rules for carrying out the provisions of the said Act.

THE MIZO DISTRICT (LAND AND REVENUE) RULES, 1967

CHAPTER I

Preliminary :

1. Short title, extend and commencement.
 - 1) These Rules shall be called the Mizo District (Land and Revenue) Rules, 1967.
 - 2) These Rules shall apply to the whole value of Mizo Autonomous District excluding Pawi-Lakher Region.
 - 3) They shall come into force at once.

2. Definition :

In these Rules there is anything repugnant or the context otherwise requires :

- 1) "Act" means the Mizo District (Land and Revenue) Act, 1956.
- 2) "Executive Committee" means the Executive Committee of the Mizo District Council.
- 3) "Vacant Land" means any land which has not been allotted to any one, whether occupied or unoccupied and over which nobody has acquired any right under the Act, and shall not include any land within the state Reserved Forests, if any, and all lands actually covered by Government and Public roads.
- 4) "Land Settlement" means the settling of land under the Act and under these Rules, either permanently or periodically with individual persons or society who have entered into an engagement with the District Council to

pay land revenue, and includes survey, demarcation of boundary and classification preliminary to such settlement.

- 5) “Permanent Settlement” means the settling of land under the Act and under these Rules permanently with an individual person or society who have entered into an engagement with the District Council to pay land revenue and to whom a Certificate of land Settlement as prescribed in Appendix ‘A’ of these Rules is issued.
- 6) “Periodical Lease” means a lease of land granted to an individual or society under certain conditions and limitations laid down in the lease terms for any period specified therein.
- 7) “Lessee” means the lessee of periodic lease of land who have not acquired the status of settlement-holder as defined in Section 2 (8) of the Act as amended, but has the right to use the land as specified in the lease terms.
- 8) “Revenue Officer” means Revenue Officer appointed or designated as such by the Executive Committee.
- 9) “Town” means such station in which only the Executive Committee or any other person or body authorized by it can allot sites for residential and other non-agricultural purposes, under the Lushai Hills District (House Sites) Act, 1953, and under this Act and any other station as may be declared as such by the Executive Committee, from time to time.
- 10) “Town Area” means the area of such town demarcated and notified from time to time by the Executive Committee or any other person or body authorized by it.

CHAPTER II

SETTLEMENT RULES

3. Power of the Executive Committee :-

The Executive Committee shall be the Chief controlling authority. The Executive Committee or any Officer appointed by it in writing in this behalf may dispose of vacant land and land under Pass or Permit by granting settlement or periodical lease as prescribed by these Rules, provided that the Executive Committee or Officer appointed in

this behalf shall have the power to reserve any vacant land from settlement. The Executive Committee may order any land under Pass or Permit to be settled under the Act and under these Rules.

4. Appointed or designated of Revenue Officer and delegation of powers to them :

The Executive Committee may appoint or designate Officer under the District Council to be the Revenue Officer. The Executive Committee may delegate to the Revenue Officer all or any of the powers conferred by these Rules and by the Act, and may specify their jurisdictions.

5. Application for Land-Settlement :

Application for Land-Settlement shall be in writing and presented to the Executive Member-in-charge, Land Settlement or to the Officer appointed in this behalf. If the Executive Committee orders under Rule 3, and land-pass or permit to be settled, no such written application will be necessary.

6. Survey, Measurement and Demarcation of Land

On receipt of an application, the Executive Member or the Officer shall cause the land to be surveyed, measured and demarcated, unless he sees reasons to reject the application summarily. A sketch-map showing the length and breadth in feet, the area of the land in square feet and in bighas and the boundary description of the land shall be made in the survey and submitted. The Executive Member or Officer shall also ascertain whether the land applied is available for settlement and free from encumbrances. The Executive Committee may order summary survey, if deemed necessary for settlement subject to revision. In such case, the Executive Committee may prescribed in writing the manner for such summary survey.

7. Disposal of Application :

After receiving the survey report and making further investigation as may be necessary and settling any dispute that may have arisen, the Executive Member or the Officer shall either grant settlement or reject the application or allow it in part as he deems fit, When land-settlement granted registration and issuing of Certificate of land shall be done under Rule 21 and 22.

8. Power for giving priority to application :

Should more than one person apply for the same vacant land, the Executive Member or Officer shall have the discretionary power to give priority to any of the applications as he deems fit.

9. Settlement of Land Exceeding 10 Bighas :

No land exceeding 1- bighas shall be settled without the previous permission of the Executive Committee.

10. Allotment of Land under Pass :

These Rules shall not bar the Executive Committee or Officer appointed by it in this behalf from allotment of land under Pass in accordance with the Lushai Hills District (House Sites) Act, 1953 unless this act is repealed.

11. Settlement of Land previously allotted under Pass or Permit :

If and when a land previously allotted under Pass or Permit shall be settled under the Act and in accordance with this Rule, Survey, Measurement, Demarcation of his Land shall be done under Rule 6, and if the occupied is found in excess of the area given in the Pass or Permit, such area shall be excluded from settlement or may be included in the settlement on payment of redemption by the settlement-holder at such rate as fixed by the Executive Committee under Rule 12, unless it is found inconvenient to do so.

12. Determination of excess area and fixation of redemption rate :

- a) The Executive Committee shall determine the extent of excess area that may be included in the settlement on payment of redemption, and shall fix the rate per Sq.ft. for such redemption.
- b) The Executive Committee or the Officer authorized in that behalf may also grant an extension of area after a Certificate of Land Settlement has been issued. In such cases, the extended holder shall pay redemption for it.

13. Land-Settlement with non-Tribals :

No land shall be settled except on periodic lease with Non-Tribal who has no permanent residential Pass. But, non-Tribal who has been giving in Mizo District since the times of his parents and who was born and brought up in the District may be granted permanent settlement.

14. Periodic Lease :

The proceeding Rules shall apply in granting a periodic lease of land, and a certificate of land-lease shall be issued.

15. Periodic Lease of Fishery :

Any collection of water running or stagnant declared by the Executive Committee to be Fishery under section 9 of the Act, may be leased for any period and under such conditions as the Executive Committee may prescribed. The Leasing out shall be done either by public auction or in any other manner as the Executive Committee deems fit and by issuing a certificate of Periodic Lease of Fishery.

16. Forms of Certificates and Power of the Executive Committee to revise them :

The Certificate of land-settlement, land-lease and Periodic Lease of Fishery are prescribed in Appendix 'A', 'B' and 'C' respectively. The Executive Committee shall have the power to revise them from time to time consistent with the Act and these Rules.

CHAPTER III

REGISTRATION RULES

17. General Register :

Unless the Executive Committee alters under Rule 20, the General Register prescribed by Section 10 of the Act shall consist of five parts as follows :-

- | | |
|----------------|--|
| Part I | For permanent settled land within Town Areas. |
| Part II | For periodic Lease of land within Towns Areas. |

Part III For permanently settled land outside Town Areas.

Part IV For periodic lease of land outside Town Areas.

Part V For periodic lease of fishery.

18. Maintenance of General Register :

These Registers shall be maintained by the Revenue Officers in-charge of Land Settlement of by any other Officers authorized in writing by the Executive Committee in the District Council Offices at Aijal and Lungleh and in such other District Council Offices as may be directed by the Executive Committee.

19. Language used in the General Register :

These Registers shall ordinarily be written in English. It may be written in Lushai.

20. Power of the Executive Committee to prescribed new Registers and to alter the existing ones :

The Executive Committee may prescribed new Registers in addition to the existing ones and may alter the form and Parts of the General Register prescribed in Section 10 of the Act, and under Rule 17 of these Rules.

21. Registration :

When any settlement is granted under Rules 7, 14 and 15 of the Rules, the same shall be entered in the General Register on payment of Rs. 10/- as registration fee and such payments as redemption and any other necessary payments, if any.

The Executive Committee may revise the arte of registration fee from time to time. No settlement shall be registered unless the holder pays off all such necessary payments and fixes all the boundary pillars as necessary.

22. Issue of Certificates of Land-Settlement, Land-Lease and Periodic Lease of Fishery :

On completion of Registration, a Certificate of Land-Settlement, Land-Lease or Periodic Lease of Fishery, as the case may be, which serves as a Certificate of

Registration, shall be issued to the settlement-holder or the lessee on payment of Rs. 5/- for the certificate in addition to the registration fee.

23. Issue of certified copies of the Certificate :

Certified copies of these certificates may be issued to the holder or Lessee on payment of Rs. 5/- per copy in case of loss of the Certificate for any other purpose.

24. Alteration of Registration :

If a settlement-holder wants to alter his registration by way of extension of the area under Rule 12 he shall apply for same, and if, extension is granted to him under Rule 12, and if, nothing is found against his doing so in the terms and conditions of his certificate, the alteration shall be made in the register and in his certificates, on payment of mutation fee of Rs. 10/- in addition to any other necessary payments, such as redemption etc.

25. Transfer of Land :

If a settlement- holder or a lessee wants to transfer his land partly or wholly to another person or body, he shall apply for the same, and, if, nothing is found against his doing so in the terms and conditions of his certificate, the same shall be effected in the register and in the certificate on payment of mutation fee of Rs. 10/-. If the transfer of land is in part, and requires new certificate, the person to whom the new certificate is to be issued, shall pay registration fee of Rs. 10/- and certificate fee of Rs. 5/- under Rules 21 and 22 in addition to the mutation fee paid by the former settlement-holder. In the case of transfer of land from a tribal to a non-tribal and from a non-Tribal to another non-Tribal, the relevant provision of the Mizo District (Transfer of Land) Act, 1963, shall apply in addition to the fees payable under this Rule.

CHAPTER – IV

CLASSIFICATION AND VALUATION OF LAND RULES

26. Classification of Town Land :

The Executive Committee shall, from time to time, classify the land within town areas into three gardens. The classification shall be based on suitability of the area for commercial centre, on its having good roads and on any other such consideration. The

town in which these classifications can be applied are – Aijal, Lungleh, Demagiri, Kolasib, Champhai and N. Vanlaiphai, Sairang in which only the Executive Committee or any other person or body authorized by it have power to allot site, unless the District Council declares other villages to be such towns.

27. Valuation of Town Land :

The Executive Committee shall, from time to time, fix the rate of value of the land per square feet under different grades in these towns. They may divide each grade into smaller areas having different rates as the value different plot of land even within one grade may be different. In fixing the rate of value, the existing market-rate shall be taken into consideration.

28. Fixation of Land-Revenue :

The rate of value of the land fixed by the Executive Committee from time to time shall be used for the purpose of compensation within the town areas.

CHAPTER - V

ASSESSMENT OF LAND-REVENUE RULES.

29. Fixation of Land-Revenue :

1) The Executive Committee shall, from time to time, fix the rate of Land-revenue per bigha on area basis for each grade within the range of rates provided under section 15 (1) and (2) of the Act as follows :

In Aijal and Lungleh town area – Between Rs. 6/- to Rs. 18/- per bigha per annum.

In other town areas-Between Rs. 4/- to Rs. 12/- per bigha per annum.

2) The Executive Committee any also fix the rate of land revenue at the same rate as it deems fit in the case of land lease within town and rural areas.

30. Assessment of Land-Revenue

Land-Revenue shall be assessed in accordance with the rates fixed by the Executive Committee for each grade and for land-lease, and the total amount of land-revenue payable per annum together with other taxes payable besides land-revenue as mentioned under Rule 31 shall be shown in the Certificate of Land Settlement.

Provided that the assessment of land-revenue in Aijal and Lungleh Towns and in other towns on area basis shall be made in accordance with sections 15 (1) and (2) of the Act.

31. **Payment of other taxes :**

Payment of land-revenue shall, exempt a person from payment of House Tax, if the house is situated within the land settled, but shall not exempt from payment of other taxes assessable within his land, such as Stall-tax, Shop-tax and any other such taxes. These un-exempted taxes shall be shown in the Certificate of Land-Settlement.

32. **Financial Year :**

The financial year for the collection of land-revenue be from April to March.

33. **Preparation of Assessment-List :**

Every year, the assessment list of land revenue shall be prepared during the months of September, October and November along with the assessment list of other taxes and shall be submitted to the Revenue-Officer shall cause each assessment list to be checked and make the necessary corrections and put his signature when found correct.

CHAPTER – VI

RECOVERY OF ARREAR RULES

34. **Land-revenue when due :**

As soon as the assessment-lists is signed by the Revenue-Officer, the land-revenue entered in the assessment-lists falls due and shall be paid to the collector. Time for payment is upto the end of Current Financial Year which is the end of March.

35. **Arrear and defaulter :**

If land-revenue is not paid by end of Current Financial Year, it shall be an arrear and the person liable for it shall be a defaulter.

36. **Notice to defaulter :**

As soon as land-revenue becomes arrear, a notice of demand for payment of the same shall be served to the defaulter asking him to pay the arrear within one month from the date of receipt to the notice with a warning that an additional charge by way of penalty shall be levied on him as prescribed under Rule 37 in default of payment.

37. **Penalty for defaulter :**

If the defaulter fails to pay the arrear within the time specified in the notice, equal amount of the arrear shall be levied on him as penalty, which shall be paid with the arrear within three months from the date of receipt of the levying order. The order of levying the additional charge shall be served to the defaulter with a warning that the arrear and the additional charge shall be recovered by attachment and sale of his property of land as provided under Rule 38 in default of payment.

38. **Recovery of arrear by attachment :**

If the defaulter fails to pay the arrear and the additional charge within three months from the date of receipt of the levying order, the arrear with the additional charge shall be recovered by attachment and sale of his property or land as provided in Sections 20 and 21 of the Act.

39. **Cancellation of settlement when arrear cannot be recovered :**

If the arrear of land-revenue with additional charge cannot be recovered even by attachment and sale of property or land of the defaulter, the certificate of settlement may be cancelled by the Executive Committee under Section 13 of the Act.

40. **Eviction and Demolition :**

a) When a person whose certificate of Land-Settlement has been cancelled under Rule 39, or when a person who has no Pass or Permit or permission of any form is found to have extended the area of his settled-land without permission, or when a person is found to have extended his existing building or erected a new building against the public interest in the opinion of the authority under these Rules, the Executive Member or the Officer may evict such person or order such extension or new building to be demolished by serving a notice to that effect specifying a date during which the person concerned, shall vacate the site or demolished the extension of building.

b) If the person concerned fails to vacate the site or fail to demolish the extensions or building within the time specified in the notice, or has not taken steps to prefer an appeal within the time specified thereof, the Executive Member or the Officer duly authorized, may order for the eviction or demolition by force. In such cases, a requisition for the services of the police may be sent to the Deputy Commissioner who will generally comply with such requisition, unless he considers the compliance is not possible for any special reason.

CHAPTER – VII**RULES FOR APPEAL**

41. **Appeal :-** Appeal against any action taken under this Act and under these rules may be preferred to the Chief Executive Member of the Mizo District Council within sixty (60) days from the date of order. The Chief Executive Member shall dispose of the appeal after hearing the appellant or the parties if any, and his decision shall be final.

Provided that the decision of the Chief Executive Member shall not preclude any person from bringing a suit against such decision in a competent Court. A Village Council Court shall not be deemed to be competent Court for this purpose.

Sd/- H.K. Bawichhuaka
Chief Executive Member,
Mizo District Council.

Clem/-

APPENDIX – ‘A’**CERTIFICATE OF LAND****CERTIFICATE OF LAND SETTLEMENT****(Section 11 of the Mizo District Land and Revenue Act, 1956)****No. of 197.....**

This Certificate setting the land prescribed hereunder as recorded in the General Register, is granted under Section 14 of the Mizo District (Land and Revenue Act, 1956), to :-

Name :

Father's Name :

Address :

Serial No.	Grade No.	Area in Bigha	Rate per Bigha	Revenue payable per annum

Description of Boundary with location :-

The holder of this certificate has entered into an engagement with the District Council to pay land-revenue as shown above and thereby acquired the status of settlement-holder under Section 7 of the Mizo District (Land and Revenue Act, 1956) as amended. He is vested with the legal ownership of the land including all rights and interests arising out of such settlement subject to the Act, Rules, Terms and conditions made and amended by the District Council from time to time.

Signature
of Issuing Officer.

TERMS AND CONDITIONS OF SETTLEMENT

1. The land settled with the holder of this Certificate is mainly for and and without previous permission of the Executive Committee or Officer authorized by it in writing, the land shall not be utilized entirely for another purpose than specified herein.
2. The holder of this Certificate shall pay annually the land-revenue as shown in the Certificate. The revenue may at any time be increase or decreased by the District Council in accordance with the Acts and Rules as may be made and amended from time to time, or as the land may be re-classified by the Executive Officer or by Officer so authorized.
3. The Executive Committee or Officer so authorized, may at any time, order for the demolition or alteration of any new building or extension of any building either completed or under construction, if, in the opinion of the said authority, such new building or extension would go against the public interest, and the holder shall company with the order.
4. No transfer of the land either in part or in whole shall be made except in accordance with the provisions of the Mizo District (Transfer of Land) Act, and the Rules made thereunder.
5. The Certificate-holder shall comply with any order issued by the Executive Committee or Officer so authorized for improvement of sanitation and to keep the land free from danger to life and properties such as epidemic disease, fire, etc.
6. Selling of Zu or any intoxicating liquor shall not be done within the area without a license granted by competent authority.
7. The land may partly or wholly be acquired by the Executive Committee or Officer so authorized for public purposes on payment of reasonable compensation.
8. The Certificate may be changed or altered in accordance with the Acts and Rules made or amended by the District Council from time to time.
9. Violation or any of the above terms and conditions may entail cancellation of the settlement-lease under Section 13 of the Mizo District (Land and Revenue Act, 1956), or reduction of the area of holding as deem fit by the Executive Committee or Officer so authorized.

I undertake to abide by the above terms and conditions and I put my signature token thereof.

Signature
of Issuing Officer.

Signature
of Issuing Officer.

APPENDIX – ‘B’**CERTIFICATE OF LAND-LEASE****(Section 11 of the Mizo District (Land & Revenue Act, 1956))****No. of 197.....**

This Certificate, leasing the land prescribed hereunder as recorded in the General Register, is granted under Section II of the Mizo District (Land and Revenue Act, 1956), Rule 14 of the Mizo District (Land and Revenue Rules, 1965), to :-

Name of Lessee :

Father's Name :

Address :

Serial No.	Grade No.	Area in Bigha	Rate per Bigha or rate fixed by the Executive Committee	Revenue payable per annum

Description of Boundary with location :-

The holder of this Certificate has entered into an engagement with the District Council to pay land-revenue as shown above and thereby acquired the status of Lessee as defined under Rule 2(7) of the Mizo District (Land and Revenue Rule, 1965). He has the right to use the Land in accordance with the lease-terms during the period of lease.

Signature of Issuing Officer.

TERMS AND CONDITIONS OF SETTLEMENT

1. The land leased to the holder of this Certificate is mainly for and and for the period of years beginning from to and without previous permission of the Executive Committee or Officer authorized by it, in writing, the land shall not be utilized entirely for another purpose than specified herein.

2. No transfer of the land, either in part, or in whole, by way of sale, gift or otherwise shall be made in any way.

3. If the lessee has no further use of the land for which he was leased, he shall surrender the land free of cost to the District Council, but, he may claim the cost of buildings and other works executed in the land at P.W.D. Scheduled of rates.

4. The lessee shall have the local right over the forest produce within the land leased to him, and any person trespassing against this right may be liable to prosecution in a competent Court.

5. The holder of this Certificate shall pay annually the land-revenue as shown in the Certificate. The revenue may at any time be increased or decreased by the District Council in accordance with the Acts and Rules as may be made and amended from time to time or as the land may be re-classified as the rate of revenue may be re-fixed by the Executive Committee or by Officer, so authorized.

6. The Executive Committee or Officer, so authorized, may at any time, order for the demolition or alteration of any new building or extension of any building, either completed or under construction, if, in the opinion of the said authority, such new building or extension would go against the public interest and the holder shall comply with the order.

7. The Certificate-holder shall comply with any order issued by the Executive Committee or Officer, so authorized, for improvement of sanitation and to keep the land free from danger to life and properties, such as, epidemic disease, fire, etc.

8. The Certificate may be changed or altered in accordance with the Acts and Rules, made or amended by the District Council, from time to time.

9. Violation or any of the above terms and conditions may entail cancellation of the lease under Section 13 of the Mizo District (Land and Revenue) Act, 1956 or

reduction of the area of holding as deem fit by the Executive Committee or Officer, so authorized.

I undertake to abide by the above terms and conditions and I put my signature token thereof.

Signature
of Issuing Lessee.

Signature
of Issuing Officer.

APPENDIX – ‘C’**CERTIFICATE OF PERIODIC LEASE OF FISHERY**

**(Section 9 of the Mizo District (Land & Revenue Act, 1956))
and Rule 15 of the Mizo District (Land & Revenue) Rules, 1965.**

No. of 19.....

This Certificate, leasing the Fishery prescribed hereunder as recorded in the General Register, is granted under Section 9 under Rule 15 of the Mizo District (Land and Revenue) Rule 1956 and Rule 15 of the Mizo District (Land and Revenue) Rules, 1965 to :-

Name of Lessee :

Father's Name :

Address :

Serial No.	Order No. Declaring the fishery	Area in Bigha	Rate per Bigha or rate fixed by the Executive Committee	Revenue payable per annum

Description of Boundary with location :-

The holder of this Certificate has entered into an engagement with the District Council to pay revenue for fishery as shown above and thereby acquired the status of Lessee under Rule 2(7) of the Mizo District (Land and Revenue) Rule, 1965. He has the right to use the water for fishery in accordance with the lease terms for the period of lease.

Clem/-

Signature of Issuing Officer.

TERMS AND CONDITIONS OF PERIODIC LEASE OF FISHERY.

1. The water leased to the holder of this Certificate is mainly for
..... and for the period of
..... Year/month beginning from to and without previous
permission of the Executive committee or Officer authorized by it in writing. The water
shall not be utilized entirely for another purpose than specified herein.

2. The holder of this Certificate shall pay revenue for the period specified herein,
as shown in the Certificate. The revenue, may at any time, be increased or decreased by
the District Council in accordance with the Acts and Rules, as may be made and amended
from time to time, or, as the revenue may be re-fixed by the Executive Committee or by
Officer, so authorized.

3. The Certificate holder shall comply smooth running of the Fishery and for the
rate of selling fish with any order issued by the Executive Committee or Officer, so
authorized, for improvement of sanitation and to keep the water free from danger to life
and properties, such as, epidemic disease, etc.

4. The Certificate may be changed or altered in accordance with the Acts and
Rules, made or amended by the District Council from time to time.

5. Violation of any of the above terms and conditions may entail cancellation of
the lease under Section 13 of the area of holding as deem fit by the Executive Committee
or Officer, so authorized.

I undertake to abide by the above terms and conditions and I put my signature in
token thereof.

Signature of the Lessee

clem/-25.6.76

Signature
of the issuing Officer

The 17th. July 1963

No. TAD/R/43/62.- In pursuance of paragraph 11 of the Sixth Schedule to the Constitution of India, the following Act of the Mizo District Council, which received the assent of the Governor of Assam, hereby published for general information.

ACT No. 11 of 1963

THE MIZO DISTRICT (AGRICULTURAL LAND) ACT, 1963

(Passed by the Mizo District Council)

Received the assent of the Governor of Assam on the 16th July 1963

(Published in the Assam Gazzete, dated the 24th July 1963)

an

Act

to provide for the control over the Agricultural land in the Mizo District.

Preamble: Whereas, it is necessary to provide for the regulation and control of Agricultural land in the Mizo District with a view to protect and promote the interest of the inhabitants thereof :

It is hereby enacted in the Fourteenth Year of the Republic of India as follows :-

Short title, extent and commencement

This Act may be called the Mizo District (Agricultural Land) Act 1963.

It extends to the whole of the Union Territory of Mizoram excepting the areas under the Autonomous District Councils of Pawi, Lakher and Chakma.

It shall come into force at once.

2. **Definition :** In this Act-

“Allotment” with respect to land means allotments made by the Administrator or authority duly empowered by him in the behalf.

“District” means a District in Mizoram declared to be as such by the notification by the Administrator of Mizoram.

Omitted.

“Administrator” means the Administrator of the Union Territory of Mizoram appointed by the President under Article 239 of the Constitution :

“Farm” means Cattle Farm, Poultry Farm, Fish Farm and it shall also include leilet (Wet Paddy Cultivation) and garden (Fruits, vegetables, trees, bamboos etc.) :

“Land” includes all lands either vacant or occupied within the Mizoram. It shall include also benefits to arise out of lands and things attached to the earth or permanently fastened to anything attached to the earth, but shall exclude minerals, mineral oil, natural gas, petroleum ;

“Vacant Land” means any land which has not been allotted to anyone, whether occupied or unoccupied and over which nobody has acquired any right ;

3. **Application of the Act.-** This Act shall apply to all lands within the Mizoram, except the following :

Land included in the State Forest Reserve.

The soil of all Government and Public Roads.

All lands in the Station Reserves of Aizawl, Lunglei, Sairang, Demagiri, Champhai, North Vanlaiphai or any other area or areas as may be notified from time to time, by the Administrator of Mizoram.

4. **Allotment :**

The administrator or the Officers authorized by it, in writing shall have the power to allot any vacant land for the purpose of any farm.

All such allotments shall be made by issue of Patta in a prescribed form.

The administrator or Mizoram may, by rules, impose such conditions as it may deem reasonable on all allotments of lands made under sub-section (1) of this section in the interest to general Public or of Scheduled Tribe.

5. No Persons shall occupy and take possession of any land unless allotted and patta obtained in accordance with the provisions of this Act.

6. All lands already occupied and pass/permit granted by any authority before the commencement of this Act shall have to be registered and fresh Patta obtained from the Administrator within such time and in such manner and on payment of such fee, as may be prescribed.

Failure to carry out this section and the rules thereunder, may entail cancellation of the pass permit by the Administrator; provided, due notice is served to the person/persons concerned.

7. **Rights over Land :-**

The Patta-holder shall have heritable and transferable right of use on, or of sub-letting in his land subject to :-

The payment of all revenues and taxes from time to time, legally assessed or imposed in respect of the land.

Such terms and conditions as are imposed by rules made under this Act.

No person shall acquire by length of possession or otherwise any right over land disposed of, allotted or occupied, unless registered and Patta obtained in accordance with provision of this Act.

8. **Registration :-** The Administrator shall maintain a register of land records in which all allotments of land shall be registered.

9. **Eviction :-**

If any person is found to be in possession of land otherwise than in accordance with the provisions of this Act, any officer duly authorized by the Administrator in this behalf, may evict the person after serving a notice on him requiring him to vacate the land within three months from the date of service of the notice and to remove any building or fence which may have been raised on such land, subject to the condition that crops actually growing on the land, may be allowed to remain till they are ripe for ensuing harvest.

Any person, aggrieved by an order under sub-section (i) of this section may, within a period of sixty days from the date of such an order, prefer an appeal to the Administrator. Every order passed in appeal, under this section, shall be final.

10. **Penalty :-**

Any person found disobeying an order of requisition to vacate under section 9, shall be liable to a fine, which may extend to Rs. 500/- and in case of continuing breach to a further fine which may extend to Rs. 10/- for each day during which the breach continues.

11. **Rules :-** The Administrator may make rules for carrying out the provisions of this Act.

12. **Repeal :-**

The Mizo District (Agricultural Land) Act, 1956 (Act No. 111 of 1957) is hereby repealed with immediate effect.

Notwithstanding such repeal and subject to the provisions of Section 6 all actions taken orders made or directions given under the provisions of the Mizo District (Agricultural Land) Act, 1956 shall be deemed to be taken, made or given under the respective provisions of this Act and subsequent actions, if any, with regard to any action, order or direction shall be in accordance with the provisions of this Act.

No. ED. 1/72/ In exercise of the powers conferred by section 11 of the Mizo District (Agricultural Land) Act, 1963, (Act No. 11 of 1963), the Executive Committee of the Mizo District Council is pleased to make the following Rules for carrying the provisions of the said Act.

THE MIZO DISTRICT (AGRICULTURAL LAND) RULES, 1971

CHAPTER I

PRELIMINARY

1. **Short title, extent and commencement**

These Rules shall be called the Mizo District (Agricultural Land) Rules, 1971.

They shall apply to the whole of Mizo Autonomous District excluding Pawi-Lakher Region.

They shall come into force at once.

2. **Definitions**

In these Rules unless there is anything repugnant or the context otherwise requires :-

“Act” means the Mizo District (Agricultural Land) Act, 1963.

“Executive Committee” means the Executive Committee of the Mizo District Council.

“Pass” means a Pass granted by competent authority to individual or group for the right to use a land allotted under the Pass and on condition specified in the Pass.

“Permit” means a Permit granted by the Mizo District Council under the Act and under previous Mizo District (Agricultural Land) Act, 1956 which has been repealed but accepted under Section 12 (2) of the Act.

“Patta” means a prescribed land settlement document settling the Agricultural land under the Act and under these Rules, whereby an individual or society has entered into an engagement with the District Council to pay land revenue, taxes, cesses and rates legally assessed or imposed in respect of the land from time to time.

“Patta-holder” means a holder or Patta, who has entered into an engagement with the District Council to pay land revenue, taxes, cesses and rates legally assessed or imposed in respect of the land from time to time and thereby acquired the Patta-holder’s right under section 7 of the Act.

“Periodic Patta” means a prescribed land settlement document settling the Agricultural land periodically under these Rules where-by an individual or society has entered into an engagement with the District Council to pay land revenue, taxes, cesses and rates legally assessed or imposed in respect of the land so settled.

“Periodic Patta-holder” means a holder of Periodic Patta who has not acquired the Patta holder’s right under section 7 of the Act.

“Classification” means the classification of Agricultural land into different grades made by the Executive Committee from time to time under the Act and under these Rules.

“Valuation” means the rate of value of different grades of Agricultural land fixed by the Executive Committee from time to time under the Act and under these Rules.

CHAPTER 11

ALLOTTMENT AND SETTLEMENT RULES

(SECTION 4-7)

3. **Powers of the Executive Committee**

The Executive Committee shall be the Chief Controlling authority. The Executive Committee or the Officer appointed or authorized by the

Executive Committee in writing in this behalf may dispose of vacant land already occupied or possessed under Pass or Permit by issue of Patta or Periodic Patta as prescribed by these Rules, provided that the Executive Committee or the Officer appointed or authorized in this behalf shall have the power to reserve any vacant land from allotment or settlement.

The Executive Committee may, from time to time, order any land under Pass, Permit or Periodic Patta to be settled under the Act and under these Rules by issue of Patta.

4. **Appointment or designation of Officers and delegation of powers to them.**

The Executive Committee may appoint or designate any Officer under the District Council to be Officer in charge in this behalf and may authorized or delegate to such Officer all or any of the feweers conferred by the Act and by these Rules, and may specify their jurisdiction.

5. **Field Staff.**

The Executive Committee may appoint Field Staff on this behalf as may be necessary or may use the existing Council staff as such field-staff to make necessary verification, survey, measurement and demarcation of land as prescribed under these Rules.

6. **Allotment**

Allotment of vacant land under the Act and under these Rules shall be of two kinds namely Temporary and Permanent. Temporary allotment shall be made by issue of Periodic Patta and Permanent allotment or settlement shall be made by issue of Patta in accordance with these Rules.

7. **Application for allotment**

Application for allotment shall be presented to the Executive Member in charge or to the Officer appointed or authorized in this behalf stating clearly whether the

application is for Temporary allotment or for Permanent allotment. Applications from villages shall be submitted through the village-Council President concerned with his recommendations.

8. Verification

On receipt of an application for Temporary allotment, the Executive Member or the Officer shall cause the land to be verified in a prescribed form as given in Appendix 'A' unless he sees reasons to reject the application summarily.

On receipt of an application for Permanent allotment, the Executive Member or Officer shall cause the land to be verified under sub-rule (1) of this Rule, and at the same time, to be surveyed under Rule 9 unless he sees to reject the application summarily.

9. Survey, Measurement and demarcation of land-settlement under Patta.

All lands to be settled under Patta shall be surveyed, measured and demarcated. A sketch-map showing the length and breadth in feet or in the current use of measurement, the area in square feet or in the current use of measurement and in bighas and the boundary description of the land shall be made in the survey and submitted. It shall also be made clear in the survey whether the land is available for settlement under Patta and free from all encumbrances.

The Executive Committee may order, from time to time, summary survey for permanent or settlement if deems necessary subject to revision. In such case, the Executive Committee may prescribe in writing the manner of summary survey.

10. Disposal of Application.

On receipt of the verification report in respect of Temporary allotment, and after making such further investigation as may be necessary and ascertaining whether the land is available and free from all encumbrances for allotment, the Executive Member or the Officer shall either grant or reject the application or allow it in part as he deems fit. When temporary allotment is granted registration and issue of Periodic Patta shall be made under Rule 24 and 25 respectively.

On receipt of the verification and survey-report in respect of Permanent allotment, and after making such further investigation as may be necessary and ascertaining whether the land is available and free from all encumbrances for such allotment, the Executive Member or Officer shall either grant Permanent allotment or reject the application or allowed it in part as he deems fit. When Permanent allotment is granted, registration and issue of Patta shall be made under Rules 24 and 25 respectively.

11. Power for giving priority to application

When there are more than one person applying for the same vacant land either for Temporary or Permanent allotment, the Executive Member or Officer shall have the discretionary power to give priority to any of the applications as he deems fit.

12. Settlement of land exceeding 30 bighas.

No Agricultural land exceeding 30 bighas shall be allotted or settled either Temporarily or Permanently without the prior permission of the Executive Committee.

13. Conversion of Pass or Permit previously granted by authority to Periodic Patta or Patta.

The Executive Committee may issue Notice from time to time ordering the conversion of Pass Permit previously granted by authority to Periodic Patta or Patta giving sufficient time to such conversion not exceeding six months at a time. The Executive Committee may issue such Notice for the whole District or for Circle wise.

When such Notice is issued by the Executive Committee, holders of Pass or Permit concerned, shall submit applications in writing to the Executive Member or Officer within the time specified in the Notice, attaching their Passes or Permits thereto and stating clearly whether the application is for conversion to Periodic Patta or Patta. Applications from villages shall be submitted through the Village Council President concerned with his recommendations.

On receipt of such applications, the Executive Member or Officer shall follow the relevant portions of Rule 8, 9, 10 and 14 in disposing the applications and Registration and issue of either Periodic Patta or Patta shall be made under Rules 24 and 25 on payment of registration and mutation fees, and also redemption fee if necessary. The

Executive Committee shall fix the rate of mutation fee from time to time for both the periodic patta and patta.

The Executive Committee may from time to time order, giving sufficient time not exceeding six months at a time, the wholesale conversion of pass or permit to periodic patta or patta on payment of registration and mutation fees without first doing the necessary verification and survey to be done later on. The Executive Committee may issue such order for the whole District or for circle-wise.

At the expiry of specified time in the Notice or Order under Sub-Rule (1) and (4) of this Rules, the Executive Member or Officer shall verify from the existing Registers or by calling report from the Village Council President concerned or in any other manner as he deems fit whether any pass or permit holder has failed to convert his pass or permit to periodic patta or patta within the time specified in the Notice or Order, he shall serve a Notice to such person to convert his Pass or Permit to Periodic Patta or Patta with a warning that failure to comply with the Notice may entail cancellation of his Pass or Permit, and giving him sufficient time for such conversion not exceeding three months at a time. Such notice may be issued more than once if deems necessary, but not exceeding three times and the serving of such Notice to such person shall be done by obtaining his signature in one copy of the Notice. If such person fails to convert his Pass or Permit the time given to him in the Notice on receipt of the Notice, the Executive Member or Officer shall submit the matter with all the connecting papers to the Executive Committee for cancellation of the Pass or Permit and the Executive Committee may cancel the same.

14. Permanent settlement of land previously allotted Under Periodic Patta or Patta

Subject to Rule 9 (2), when a land previously allotted temporarily under Periodic Patta id to be settled permanently under Patta, verification and survey shall be done under Rules 8 and 9, and if the land already occupied is found in excess of the area may be included in the settlement under Patta at the request of the Patta holder and on payment of redemption fee by him at the rate as fixed by the Executive Committee under Rule 15, unless such inclusion is found inconvenient for public interest.

15. Determination of excess area and fixation of redemption rate :

The Executive Committee shall determine from time to time the maximum extent of excess area that may be included in the settlement under Patta on payment or redemption, and shall fix the rate per bigha and a fraction thereof for such redemption.

The Executive Member or Officer may also grant an extension shall not exceed at a time the maximum extent or excess area fixed by the Executive Committee under sub-rule 1 of this Rule. In such cases, the extended area shall be treated as a new allotment and verification and survey shall be done under Rules 8 and 9. Alteration of Registration shall also be made under Rule 27 and the Patta-holder shall pay only Registration and mutation fees for such extended area.

16. Powers of the executive committee for reservation within the land settled

The Executive Committee shall have the power for reservation in favour of the District Council or the State as the case may be, of all stone quarries and of all mines, minerals oil, natural gas, petroleum and of all buried treasure with full liberty to search for and work the same as provided under section 7(b) of the Principal Act.

17. Settlement of Agricultural land with non-Tribal

No Agricultural land shall be allotted or settled except on Periodic Patta with non-Tribal who has no Permanent Residential Pass But non-Tribal who has been living in Mizo District since the time of his parents and who was born and brought up in the District and has a Permanent Residential Pass or need not to have such pass, may be granted permanent settlement under patta.

18. Periodic Patta for Fishery

Subject to the relevant provisions in the Lushai Hill Fisheries Act, 1953, any collection of water running or stagnant, within the Agricultural land to which the Principal Act applies, may be allotted by the executive Member or Officer as Fishery under Periodic Patta. In such allotment, the proceeding relevant Rules for granting Periodic Patta shall be followed.

19. Forms of Patta and Powers of the Executive Committee to revise them.

The forms of Periodic Patta, Patta and Periodic Patta for Fishery and the terms and conditions there-in are prescribed in Appendix 'B' 'C' and 'D' respectively. The

executive committee shall have the power to revise them from time to time consistent with the Principal Act and these Rules.

CHAPTER III

REGISTRATION RULES (SECTION 8)

20. Register of land Record.

Unless the executive committee alters under Rules 23, the forms of Registration of Land Records shall be as prescribed in Appendix E, F and C and there shall be three different Registers as follows:-

Register of Land Record for Periodic Patta.

Register of land record for Patta

Register of land records for Periodic Patta for Fishery.

21. Maintenance of Registers.

The Executive Member or any Officer appointed or authorized in this behalf by the executive committee shall maintain these Registers in the District Council Offices at Aizawl, Lunglei, Champhai and in such other District Council Offices as may be directed by the Executive Committee.

22. Language used in the Register.

These Registrations shall ordinarily be written in English. It may also be written in Lushai.

23. Powers of the Executive Committee to prescribe new Registers and to alter the existing ones.

The Executive Committee may prescribe new Registers in addition to the existing ones if deems, necessary and may alter the form of the Register prescribed in Appendix E,F and C.

24. Registration.

When any allotment, settlement or conversion of Pass or Permit is made under Rules 10,13, 14 and 18, the same shall be entered in its respective Register on payment of Rs.10/- as registration fee and such other payments. No allotment, settlement or

conversion of Pass or Permit to Periodic Patta or Patta shall be entered into the Register unless the holder pays off all such necessary payments and carries out all other necessary things to do for such allotment, settlement or conversion. The Executive Committee may revise the rate of Registration fee from time to time.

25 Issue of Periodic Patta, Patta and Periodic Patta for Fishery.

On completion of Registration, a periodic Patta, Patta or Periodic Patta for Fishery as the case may be shall be issued to the Patta-holder on payment of Rs.5/- for the document in addition to the registration fee.

26. Issue of Certified copies of Patta documents.

Certified copies of different Patta documents may be issued by the Executive member or Officer to the holder of different Pattas on payment of Rs.5/- per copy in case of loss of such Patta document or for any other purposes.

27. Alteration of Registration:

If a holder of Periodic Patta, Patta or Periodic Patta for Fishery wants to alter his registration by way of extension of the area under Rule 15(2) he shall apply for the same, and if nothing is found against his doing so in the terms and conditions of this patta document on payment of Registration and mutation fees.

28. Transfer of Land:

If a holder of Periodic Patta, of Periodic Patta for Fishery wants to transfer his land of Fishery partly or wholly to another person or body, he shall apply for the same, and if nothing is found against his doing so, in the terms and conditions of his patta document, the same shall be affected in the register and in his Patta document on payment of mutation fee by him. If the transfer of land or Fishery is in part and required a new Patta document, the person to whom the new patta document is to be issued shall pay registration fee of Rs.10/- a patta document fee of Rs.5/- under Rules 24 and 25 in addition to the mutation fee paid by holder of the Patta. In the case of transfer of land from a tribal to non-tribal, and from a Non-Tribal to another non-Tribal, the relevant provisions of the Mizo district (Transfer of Land) Act, 1963, and the Rules made there under shall apply in addition to the fees payable under these Rules.

CHAPTER-IV

CLASSIFICATION AND VALUATION OF LAND RULES (SECTION 8 A)

29. Classification of Agricultural Land:

The Executive Committee shall, by Notification from time to time, classify the Agricultural Land to which the Principal Act applies, into various grades as it deems fit. The classification shall be made for each different class or farms. Such classification shall be based on the suitability of the area or commercial purposes, on its having good communications and on such other considerations.

30. Valuation of Agricultural Land :

The Executive Committee shall, by Notification from time to time, fix the rate of Value of the Agricultural Land per bigha and a fraction thereof for the different grade may be subdivided for the purpose of fixation of the rate of value. In fixing the rate, the current market rate shall be taken into consideration.

31. Application of Valuation :

The rate of value of the land fixed by the Executive Committee from time to time shall be used for the purpose of compensation, mortgage and such other purposes.

CHAPTER -V

FIXATION, ASSESEMENT AND COLLECTION OF LAND REVENUE RULES(SECTION 8 A)

32. Fixation of Land Revenue :

The Executive Committee shall, from time to time fix the rate of land revenue per bigha and a fraction thereof on area basis for each grade in each different class or farms within the range of rate between Re.1/- to Rs.6/-. The Executive Committee may also fix the range of rate for each grade.

In fixing the rate of revenue on area basis, an area less than half bigha shall be assessed to half bigha and an area exceeding half bigha but not exceeding one bigha shall be assessed to one bigha, and an area exceeding one bigha but not exceeding one and half bigha shall be assessed to one and half bigha and so on.

In fixing, the rate or revenue for land under Periodic Patta for Fishery, the preceding sub-section of this Rule shall apply

33. Assessment of Land Revenue :

Land Revenue shall be assessed in accordance with the rates fixed by the Executive Committee under Rules 32 and the total amount of Land Revenue payable per annum together with other taxes, cesses and rates payable besides the land revenue as mentioned under rule 34 shall be shown in Patta document.

34. Payment of other Taxes, Cesses and rates :

Payment of land revenue under Periodic Patta, Patta or Periodic Patta for Fishery shall exempt a holder of such Patta from payment of taxes for provided in Section 3(1), (2), (11) and (12) of the Lushai Hills District (Revenue Assessment) Regulation, 1953 as amended, if they are within the land covered by such Pattas but shall not exempt from payment to other taxes, cessess and rates assessable within hi land. These un exempted taxes shall be shown in the Patta document.

35. Financial Year :

The Financial year for the collection of Land Revenue shall be from April to March.

36. Preparation of Assessment List :

Every year the assessment list of land revenue shall be prepared during the months of September, October and November along with the Assessment list of other taxes, cessess and rates, and shall be submitted to the officer in charge before the end of December. The officer shall cause each Assignment list to be checked and make all the necessary correction and put his signature when found correct.

37. Collection of Land Revenue :

As soon as the assessment list is signed by the officer concerned, the land revenue and taxes, cessess and rates entered in the assessment list falls due and shall be collected and paid to the collector, time for payment is up to the end of the current Financial year, which is the end of March.

38. Arrear and defaulter.

If land revenue, other taxes, cesses and rates are not paid by the end of Current Financial Year, it shall be an arrear and the person liable for them shall be a defaulter.

39. **Notice to defaulter :**

As soon as land revenue, other taxes, cesses and rates become arrear, a Notice of demand for payment of the same shall be served to the defaulter asking him to pay the arrear within one month from the date of receipt of the Notice with a warning that an additional charge by way of penalty shall be levied on him as prescribed under Rule 40 in default of Payment.

40. **Penalty for defaulter :**

If the defaulter fails to pay the arrear within the time specified in the Notice, equal amount of the arrear shall be levied on him as penalty which shall be paid with the arrear within three months from the date of receipt of the levying order. The order of levying the additional charge shall be recovered by attachment and sale of his property or land as provided under Rule 41 in default of payment.

41. **Recovery of Arrear by attachment :**

If the defaulter fails to pay the arrear and the additional charge within three months from the date of receipt of the levying order, the arrear with the additional charge shall be recovered by attachment and sale of his property or land.

CHAPTER-VI

CANCELLATION AND EVICTION RULES

(SECTION 9(i))

42. **Cancellation of Periodic Patta, Patta and Periodic Patta for Fishery.**

If any arrear of land revenue with additional charge cannot be recovered by attachment and sale of property or land of the defaulter, or if the holder of Periodic Patta, Patta or Periodic Patta for Fishery violates any terms of his Patta, such Patta may be cancelled by the Executive Committee after giving him opportunity to defend himself.

43. **Eviction and Demolition.**

1) When a person whose Pass or Permit has been cancelled under Rule 13(5) is found to be in possession of land, or when a person whose Patta either periodic or Permanent has been cancelled under Rule 42, or when a person is found to be in possession of land otherwise than in accordance with the provisions of the Principal Act and these Rules or when a person is found to have extended the area of his land without

permission, or when a person is found to have erected a new building, fencing or extended his existing building in his land against the public interest in the opinion of the In the opinion of the authority under these Rules, the Executive member or the Officer may evict such person or order such new building, fencing or extension of building to do demolished by-serving Notice to that effect giving him three months time in accordance with section 9(1) of the Principal Act. The Provision of Section 9(1) of the Principal Act shall be followed in this matter.

CHAPTER – VII

RULE FOR PENALTY (SECTION 110)

44. Submission of writing report to the Executive Member or the Officer, and action to be taken by them.

When a person is found to have disobeyed the eviction or demolition Notice issued under Rule 43(1) the Circle Assistant in charge of that area or any other person, directed in the Notice to report whether the person concerned complied with the Notice within the time specified therein, shall submit a written report to that effect to the Executive member or the Officer may take necessary action under Rule 43(2). But instead of taking necessary action under Rule 45(1) or may file a complaint to the competent court against such person to be prosecuted under section 10 of the Principal Act and under Rule 25(2).

45. Fine imposed by the Executive Member or the Officer or by a Competent Court.

When the Executive Member or the Officer takes action under this Rule, he may, after giving the person concerned an opportunity to defend himself, impose a fine not exceeding Rs.500/- specifying the date for payment of the fine and vacation of the land..... Vacation of the land not exceeding sixty days at a time. If the person fails to pay the fine within the time specified or continues to disobey the vacation order, the Executive member or the Officer may impose or daily fine not exceeding Rs.10/- per day till the fine or the land is vacated.

When the executive member of the officer filled a complaint to the competent court under Rule 44, the Court may impose a fine in accordance with section 10 of the

Principal Act, and shall follow the spirit of the Code of Criminal Procedure, 1898 for disposal of complaint. The court shall not take action for eviction. The villages council court shall not be deemed to be a competent court for this purpose.

46. Executive of fine imposed by the Executive Member of the Officer.

In the event of non recovery of the fine imposed by the Executive Member or the Officer under Rule 45(1), the Executive Member or the Officer may, by application, move the Subordinate District Council Court for the Additional Subordinate District Council Court for the execution of the fine and the Court shall execute the fine according to the spirit of the Code of Criminal Procedure, 1898.

CHAPTER VIII

RULES FOR APPEAL

(SECTION 9(ii))

47. Appeal :

Appeal against any action taken under the Principal Act and under these Rules by the Executive Member or the Officer, but not by the Competent Court, may be preferred to the Chief Executive Member of the Mizo District Council within 60 days from the date of order. The chief Executive Member shall dispose of the Appeal after hearing the appellants or the parties with witnesses if any, and his decision shall be final.

Provided that the decision of the Chief Executive Member shall not preclude any person from bringing a suit against such decision in a Competent Court. A Village Council Court shall not be deemed to be a Competent Court for this purpose.

APPENDIX-'B'**(Vide Rule 19)****PERIODIC PATTA**

Section 4(2) of the Mizo District (Agricultural Land) Act. 1963

No of

This Periodic Patta, temporarily allotting the Agricultural Land Prescribed hereunder as recorded in the Register of Land Record for Periodic Patta, is issued for a period of Calendar years under section 4 of the Mizo District (Agricultural Land Act) 1963 to:-

Name Father's Name

Address.....

.....

Regd.No.	Grade No.	Area in bigha	Revenue rate per bigha	Other taxes cesses & Rates payable	Total amount of revenue etc. payable per annum	Period of allotment and extension

Description of boundary with location :-

Location :-

Boundary :

The holder of this periodic Patta has entered into an engagement with the Govt. of Mizoram to pay land-revenue, and other taxes, cesses and rates as shown above, and thereby acquired the status of Periodic Patta holder as defined under Rule 2(8) of the Mizo District (Agricultural Land) Rules 1971. He has the right to use the land for a period of the allotment in accordance with the terms and conditions imposed in this periodic patta. This periodic patta is renewable on application at the expiry of the period of allotment.

Memo No..... Dated

Copy to:-

Pass Holder

President V/C

The F/S Concerned.

Director of Land Revenue & Settlement, Mizoram, Aizawl.

Record Register.

Signature of Issuing Officer.

Section 4(3) of the Mizo District (Agriculture Land) Act, 1963

1. The Agriculture Land temporarily allotted to the holder of this Periodic Patta is mainly for for a period of Calendar years, beginning from to And without previous permission of the Administrator or Officer authorised by it in writing, the land shall not be utilised wholly for another purpose than specified herein.
2. The holders of this Periodic Patta shall pay annually the land-revenue and other taxes, cesses and rates payable as shown in the Periodic Patta. The revenue and other taxes, cesses and rates as may be increased or decreased by the Administrator in accordance with the Acts and Rules as may be made and amended from time to time or as the land may be re-classified by the Administrator or by the Officer so authorised.
3. The holder of this Periodic Patta has no right to obstruct the reservation of stone quarry, etc, made by the Administrator within the land allotted to him and the liberty it has to search for and work the same as provided under section 7(b) of the Principal Act, as amended.
4. The Administrator or Officer authorised may at any time order for the alteration or demolition of any building, extension of building or fencing either completed or under construction in it if, in the opinion of the said authority, such building etc, is against the public interest, and the holder shall comply with the order.
5. No transfer of the land whether in part or in whole, shall be made except in accordance with the provisions of the Mizo District (Transfer of Land) Act and Rules made thereunder.
6. The holder of this Periodic Patta shall comply with any orders issued by the Administrator, or Officer so authorised for improvement of Sanitation and keep the land free from dangers to life and properties such as epidemic disease, fire, etc.
7. Selling of ZU or any intoxicating liquor shall not be done within the area without a license granted by the competent authority.

8. The holder of this Periodic Patta has the right to clear the land and to burn or dispose of the forest produce in it by any other means for the purpose of cultivation.

9. This Periodic Patta may be cancelled without compensation at any time even before the expiry of the period of allotment, if the same is required for the public purposes, but, sufficient time shall be given to the holder for collection of the Agricultural products in it.

10. The Periodic Patta shall be treated as cancelled automatically, if it is not renewed on application within 6 (six) months from the date of its expiry.

11. If the holder of Periodic Patta, has no further use of the land at the expiry of the period of allotment, he shall surrender the Periodic Patta to the Government of Mizoram.

12. Violation of any of the above terms and conditions may entail cancellation of the Periodic Patta under Rule 42 of the Mizo District (Agricultural Land) Rules, 1971.

I undertake to abide by the terms and conditions and I put my signature in token thereof.

Signature of Periodic Patta Holder

Signature of Issuing Officer

APPENDIX 'C'

CERTIFICATE OF AGRICULTURAL LAND SETTLEMENT
Section 4(2) of the Mizo District (Agricultural Land) Act, 1963
NO OF

This certificate, settling the land prescribed hereunder as recorded in the General Register, is granted under Section 4(2) of the Mizo District (Agricultural Land) Act, 1963 and Section 6 and 19 of the Mizo District (Agricultural Land) Rules, 1971, to :-

Name :

Father's Name :

Address :

Serial No	Grade No.	Area in Bigha	Rate per Bigha	Revenue payable per annum

Description of boundary with location.

The holder of this Certificate has entered into an engagement with the Govt. of Mizoram to pay land revenue as shown above and thus, acquired the heritable and transferable right of & or of subletting in his land subject to the payment of all revenues and taxes from time to time legally assessed or imposed in respect of the land with the terms and conditions laid down overleaf.

Signature of Issuing Officer

TERMS AND CONDITIONS OF SETTLEMENT

1. The land settled with the holder of this Certificate is mainly for and without previous permission of the Govt. of Mizoram or Officer authorised by it in writing, the land shall not be utilised entirely for another purpose than is specified herein.
2. The holder of this Certificate shall pay annually the land revenue as shown in the Certificate. The revenue may at any time be increased or decreased by the Govt. of Mizoram in accordance with the Act/Rules as may be made and amended from time to time, or as the land may be re-classified by the Govt. of Mizoram or by officer so authorised.
3. No transfer of land either wholly or in part to non-tribals shall be made except in accordance with the provisions of the Mizo District (Transfer of Land) Act, and the Rules made thereunder.
4. The land may partly or wholly be acquired by the Govt. of Mizoram of Officer so authorised for public purpose on payment of reasonable compensation.
5. The Certificate may be changed or altered in accordance with the Acts and Rules made or amended by the Govt. of Mizoram from time to time.
6. The Govt. of Mizoram has the right to cancel the Settlement at any time if it comes to notice that flagrant violation of the terms and conditions takes place, or on any other ground which comes to notice which is considered sufficient for the purpose of cancellation.
7. Selling of ZU or any intoxicating liquor shall not be done within the area without a license granted by competent authority.
8. The Certificate holder should abide by the orders that may be issued from time to time by the Govt. of Mizoram or Officer so authorised.

I undertake to abide by the above terms and conditions and I put my signature in token thereof.

Signature of
Settlement Holder

Countersigned by
Issuing Authority

APPENDIX 'D'**(Vide Rule 19)****PERIODIC PATTA FOR FISHERY**

Section 4(2) of the Mizo District (Agricultural Land) Act, 1963

No..... of

This Periodic Patta, temporarily allotting the Agricultural Land prescribed hereunder as recorded in the Register of Land Record for Periodic Patta, is issued for a period of Calendar years under section 4 of the Mizo District (Agricultural Land) Act, 1963 to :-

Name :

Father's Name :

Address :

Regd. No.	Grade No.	Area in Bigha	Revenue rate per Bigha	Other taxes, cesses & rates payable	Total amount of revenue etc. payable per annum	Period of allotment and extension

Description of boundary with location :-

Location :-

Boundary :-

The holder of this Periodic Patta for Fishery has entered into an engagement with the Govt. of Mizoram to pay land-revenue, and other taxes, cesses and rates as shown above, and thereby acquired the status of Periodic Patta holder as defined under Rule 2(8) of the Mizo District (Agricultural Land) Rules, 1971. He has the right to use the land for a period of the allotment in accordance with the terms and conditions imposed in this Periodic Patta for Fishery. This Periodic Patta for Fishery is renewable on application at the expiry of the period of allotment.

Memo No. :

Dated :

Copy to :-

- 1) Pass Holder
- 2) President V/C
- 3) The F/S concerned
- 4) Director of Land Revenue & Settlement, Mizoram, Aizawl.
- 5) Record Register.

Signature of Issuing Officer

(Section 4(3) of the Mizo District (Agriculture Land) Act, 1963)

1. The Agriculture Land temporarily allotted to the holder of this Periodic Patta is mainly for for a period of Calendar years, beginning from to and without previous permission of the Administrator or Office authorised by it in writing, the land shall not be utilised wholly for another purpose than specified herein.
2. The holder of this Periodic Patta for Fishery shall pay annually the land revenue and other taxes, cesses and rates payable as shown in the Periodic Patta. The revenue and other taxes, cesses and rates as may be increased or decreased by the Administrator in accordance with the Acts and Rules as may be made and amended from time to time or as the land may be reclassified by the Administrator or by the Officer so authorised.
3. The holder of this Periodic Patta for Fishery has no right to obstruct the reservation of stone-quarry etc, made by the Administrator within the land allotted to him and the liberty it has to search for and work the same as provided under section 7(b) of the Principal Act, as amended.
4. The Administrator or Officer authorised may at any time order for the alteration or demolition of any building, extension of building or fencing either completed or under construction in it if, in the opinion of the said authority, such building etc. is against the public interest, and the holder shall comply with the order.
5. No transfer of the land whether in part or in whole, shall be made except in accordance with the provision of the Mizo District (Transfer of Land) Act and Rules made thereunder.
6. The holder of this Periodic Patta for Fishery shall comply with any order issued by the Administrator, or Officer so authorised for improvement of Sanitation and keep the land free from dangers to life and properties such as epidemic disease, fire, etc.
7. Selling of ZU or any intoxicating liquor shall not be done within the area without a license granted by the competent authority.

8. The holder of this Periodic Patta for Fishery has the right to clear the Land and to burn or dispose of the forest produce in it by any other means for the purpose of cultivation.
9. This Periodic Patta for Fishery may be cancelled without compensation at any time even before the expiry of the period of allotment, if the same is required for public purposes, but, sufficient time shall be given to the holder for collection of the Agricultural products in it.
10. The Periodic Patta for Fishery shall be treated as cancelled automatically, if it is not renewed on application within 6 (six) months from the date of it's expiry.
11. If the holder of Periodic Patta for Fishery has no further use of the land at the expiry of the period of allotment, he shall surrender the Periodic Patta to the Government of Mizoram.
12. Violation of any of the above terms and conditions may entail cancellation of the Periodic Patta under Rule 42 of the Mizo District (Agricultural Land) Rules, 1971.

I undertake to abide by the terms and conditions and I put my signature in token thereof.

Signature of
Periodic Patta Holder

Signature of
Issuing Officer

The 14th May, 1964

No. TAD/R/42/62. In pursuance of paragraph 11 of the Sixth Schedule to the Constitution of India, the Act of the Mizo District Council, which received the assent of the Governor of Assam is hereby published for general information.

ACT No. 1 of 1964.

THE MIZO DISTRICT (TRANSFER OF LAND) ACT, 1963

(Passed by the District Council)

(Received the assent of the Governor of Assam on the 5th May, 1964)

(Published in the Assam Gazette, dated the 20th May, 1964)

An

Act

to provide for control over transfer of land in the Mizo District.

Preamble,- Whereas it is necessary to provide for regulation and control of transfer of land in the Mizo District with a view to protect and promote the interest of the inhabitants thereof :

It is hereby enacted in the Fourteenth year of the Republic of India as follows –

1. Short title, extent and commencement.

- (1) This Act may be called the Mizo District (Transfer of Land) Act, 1963.
- (2) It shall come to force at once.
- (3) It extends to the whole of the Union Territory of Mizoram excepting the areas under the Autonomous District Councils of Pawi, Lakher and Chakma.

2. Definition – In this Act, unless the context otherwise requires :-

- 1) “District” means a District in Mizoram declared to be as such by order of the Administrator of Mizoram.

- 2) (Omitted)
- 3) “Administrator” means the Administrator of the Union Territory of Mizoram appointed by the President under Article 239 of the Constitution.
- 4) “Tribal” means a person who belongs to one of the Scheduled Tribes in Assam and specified as such by order made by the President of India under Article 342(1) of the Constitution of India in so far as the specification pertains to the Autonomous District of Assam.
- 5) “Land” includes benefits to arise out of land and things such as buildings of any kind or other structures attached to the earth or permanently fastened to anything attached to the earth but shall exclude minerals, natural gas and petroleum.
- 6) “Prescribes” means prescribed by rules framed under this Act.

3. Control of transfer of land. No land in Mizoram shall be sold, mortgaged, leased, bartered, gifted or otherwise transferred by a tribal to a non-tribal, or a non-tribal to another non-tribal except with the previous permission of the Administrator.

Provided that reason shall be recorded for any refusal of transfer from a tribal to a non – tribal or from non – tribal to another tribal :

Provided further, that no permission will be necessary in the case of a lease of building on rent.

4. Status-Quo to be maintained in respect of rights already required. Any right in respect of land acquired under any law in force, shall not be attached by the coming into force of this Act.

5. **Ejectment** : If any person than a tribal is found to be in possession of any land otherwise than in accordance with the provision of this Act, or in such possession thereof or found contrary to Section 4 above, the Administrator or Officer authorised by him in writing may evict the person concerned after serving a notice on him requiring him to vacate the land within three months from the date of service of notice and to remove any building or fence which may have been raised, on such land subject to the conditions that crops actually growing on the land may be allowed to remain till they are ripe for harvest

6. **Penalty** – Any person or persons intentionally disobeying on order or requisition to vacate under Section 5, shall be liable to a fine which may extend to two

hundred rupees, and in case such disobedience is continued, to a further line which may extend to fifty rupees for each day during which such breach continues.

7. Application and transfer fees :

- 1) All application for sale, mortgage, lease, gift or any other form of transfer of land from tribal to a non-tribal or from non-tribal to another non-tribal shall be made to the Secretary to the Department and affixed with the Court fee stamps of Rs.5.
- 2) All applications as in sub-section (1) above shall further be accompanied by receipts showing payment of transfer fee at the rates specified below :
 - i) One percent of the sale price in case of sale, subject to a minimum of Rs.25 and a maximum of Rs. 1000.
 - ii) Half per cent of the value of the property as may be valued by the Administrator in case of gift, subject to the maximum of Rs. 500. The valuation of the property shall be based on the current market value of the property taking into consideration the value of similar properties in the neighbouring area.
 - iii) One percent of the consideration money in the case of a lease subject to the maximum of Rs. 500/- including the short terms lease for a year or part thereof.
 - iv) Rupees ten in the case of mortgage when the amount of mortgage of Rs. 3000 or below and Rs. 1 for every additional Rupees one thousand or a part thereof.
- 3) In the event of the application being rejected, the transfer fee shall be refunded.
- 4) No sanction shall be given to any such application without due enquiries and consideration by the authorities concerned.

8. Power to make Rules –

- 1) The administrators shall have power to make rules for the purpose of carrying out the provisions of this Act, which will be published in the Mizoram Gazette.
- 2) Such rules when confirmed by the Administrator and published, shall have the force of law.